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FCC MAIL SECTION Federal Communications Commission
Washington, D.C. 20554

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March 31, 2000

John S. Neeley
Miller & Miller, P.C.
P. O. Box 33003
Washington, D.C. 20033

In Re: RM-9794

Dear Mr. Neeley:

This is in response to your request withdrawing the Petition for Rule Making you filed on behalf of EME Communications proposing the allotment of Channel 273A at Salem, Florida. In withdrawing the petition, EME Communications stated that it shall be reimbursed for its reasonable and prudent expenses for preparing, filing and prosecuting the petition for rulemaking in compliance with Section 1.420(j) of the Commission's Rules.

The petition is being returned to you as requested.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", written over a horizontal line.

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

Enclosure

cc: David G. O'Neil
(Counsel for New South Radio of
Florida, Inc. and Southbridge
Radio Corporation)

Before the
Federal Communications Commission
Washington, DC 20554

RECEIVED

DEC 10 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) RM-
Table of Allotments,)
FM Broadcast Stations.)
)
(Salem, Florida))

To: Mass Media Bureau (Policy & Rules)

Petition for Rule Making

EME Communications, by its attorney, respectfully petitions for rule making so as to allot Channel 273A to Salem, Florida, as that community's first local aural service. In support thereof, the following is shown.

Salem is located in Taylor County, Florida, on US Highway 19, a principal thoroughfare serving the west coast of the Florida panhandle. Salem's population, according to the 1990 U.S. Census, is 264. Salem has its own Post Office and zip code: 32356. It has its own volunteer fire department and is home to the following businesses:

Salem Missionary Baptist Church
Salem Puritan Church and Campground
Salem Windmill Motel
Wood's Grocery & BP of Salem
Pineywoods Hunting Preserve of Salem, FL
Pineywoods Land Clearing of Salem
Pineywoods Pine Straw and Supply Co., Salem, FL
Two environmental protection organizations

as well as the usual complement of other businesses and organizations generally found in communities of its size. This rule making will provide the first local radio service to Salem.

The proposed reference coordinates for the new allotment are

North Latitude 29° 55' 55"; West Longitude 83° 32' 22". As shown by the attached spacing study, Channel 273A may be allotted to Salem at these reference coordinates consistent with all spacing requirements and good engineering practice. A 3.16 mV/m signal will be placed over the entire community of Salem from the reference coordinates, using maximum Class A facilities. Adopting the rule making proposed herein will serve the public interest.

EME Communications will apply for a construction permit for the new station upon favorable Commission action on this petition, and will promptly construct the new facilities upon grant of the application.

In view of the above, the Commission should amend Section 73.202(b) as follows:

<u>City</u>	<u>Current</u>	<u>Proposed</u>
Salem, Florida	---	273A

Respectfully Submitted,

EME COMMUNICATIONS

By


John S. Neely
Its Attorney

December 10, 1999

Miller & Miller, P.C.
P.O. Box 33003
Washington, DC 20033

U.S. Census Bureau

U.S. Gazetteer

Select one of the following matches to your query to look at that place in the Tiger Map Browser or retrieve 1990 Census tables.

You can search this index. Type the keyword(s) you want to search for:

- **Zip Code: 32356** PO Name: Salem (FL)
Population (1990): 264
Location: 29.823815 N, 83.385828 W
Browse [Tiger Map](#) of area.
Lookup 1990 Census zipcode data from STF3B.

*Note: This dataset is derived from the Census GICS and does not contain unincorporated place names.

For other geographic entities, try searching the [USGS Geographic Names Information System](#).
The [US Gazetteer Place and Zipcode files](#) used in this service is available for downloading.

For additional information, comments and suggestions, see the [Feedback](#) page.

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U C N S S B U E U
Helping You Make Informed Decisions

**PETITION FOR RULEMAKING
CLYDE AND CONNIE SCOTT
D.B.A. EME COMMUNICATIONS
CH-273A
SALEM, FLORIDA**

DECEMBER 1999

TECHNICAL STATEMENT

The following technical exhibit has been prepared by, and on behalf of, Clyde and Connie Lee Scott, D.B.A. EME Communications, 293 JC Saunders Road, Moultrie, Georgia 31768. The purpose is to request the assignment of channel 273A to Salem, Florida as that cities first aural service.

The total population within the 60 dBu contour is 14,719. This study clearly shows that the public interest would clearly be served by adding an additional service to 14,719 persons.

Exhibit-1 is a spacing. This exhibit clearly shows that this channel can be allotted to Salem without any additional interference to existing or proposed facilities and is in full compliance with CFR section 73.202 of the Commissions rules.

Exhibit-2 is a Digital-Line-Graph plot of the proposed 70 and 60 dBu Contours. This exhibit clearly shows that the proposed 70 dBu (3.16 mV/m) contour will completely encompass the city of Salem, Florida. Exhibit-3 is a USGS Topographic map showing the proposed location. This Exhibit is offered to show that the site is not located in water and is suitable for tower construction

**PETITION FOR RULEMAKING
CLYDE AND CONNIE SCOTT
D.B.A. EME COMMUNICATIONS
CH-273A
SALEM, FLORIDA**

DECEMBER 1999

It is concluded that channel 273A can be assigned to Salem, Florida in accordance with CFR section 73.207 of the Commissions rules, without any deleting or substitution within the present table of allotments, and therefore should be granted.

Once channel 273A is assigned to Salem, Florida, Clyde and Connie Lee Scott, D.B.A. EME Communications, will file an application with the FCC, and once granted, will build and operate this facility within, and for, the people of Salem, Taylor County, Florida.

Respectfully:

A handwritten signature in black ink, appearing to read 'Clyde Scott, Jr.', written over a horizontal line.

Clyde Scott, Jr.
EME Communications
293 JC Saunders Road
Moultrie, Georgia. 31768
912-890-2506
912-985-0864 (fax)

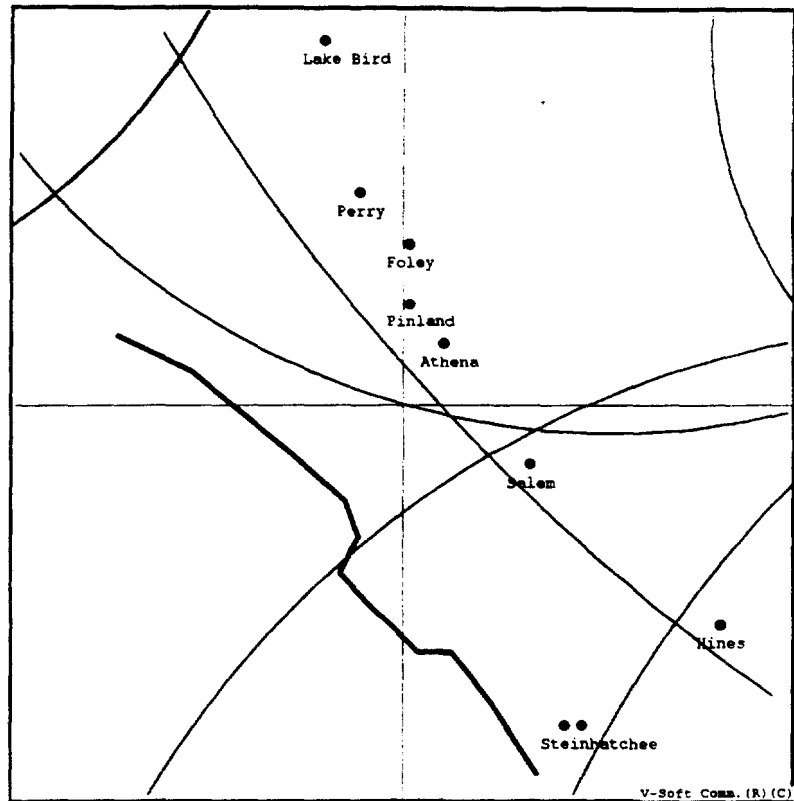
December 1999

EXHIBIT - 1
SALEM FLORIDA CLEAR AREA TO LOCATE CH-273A

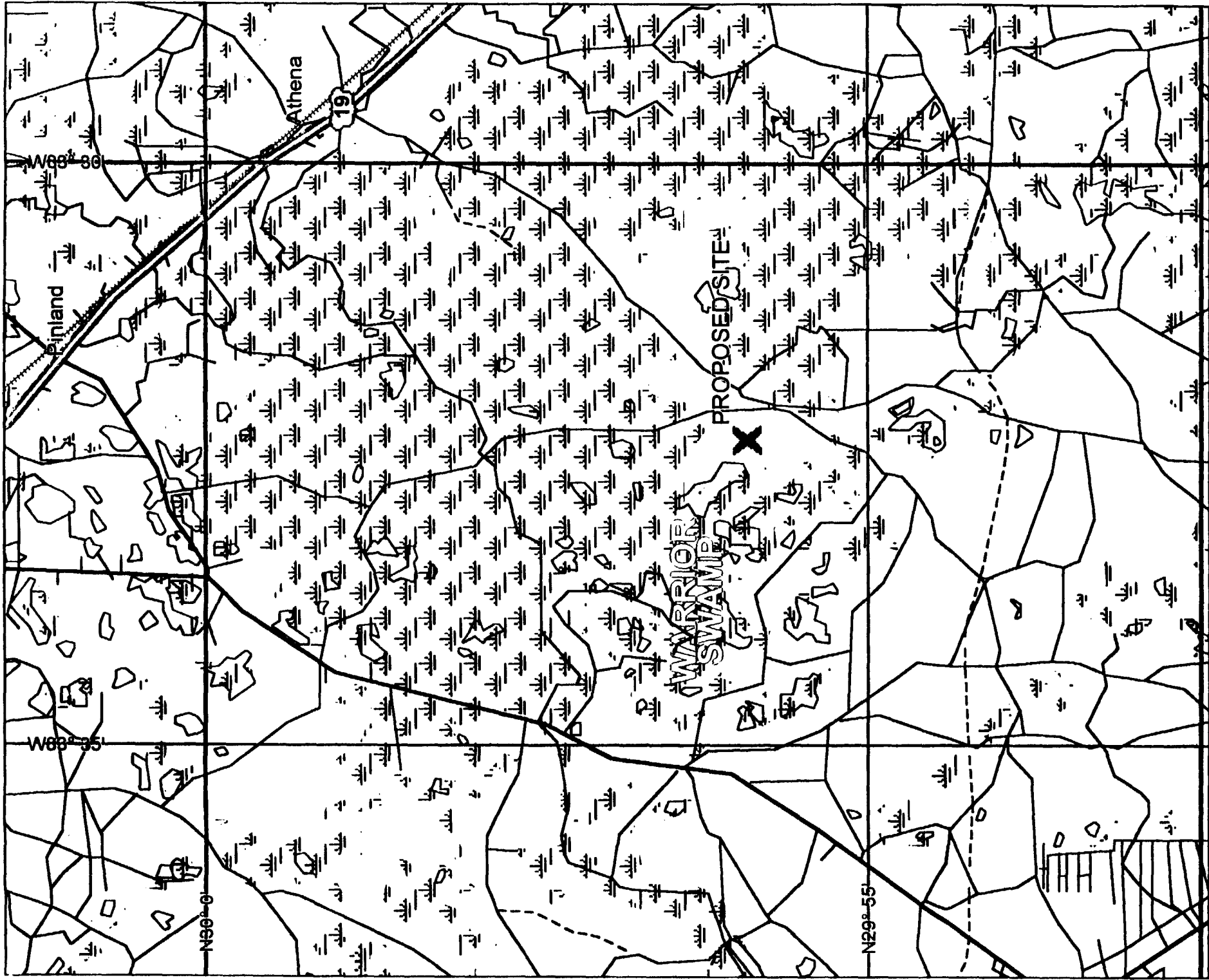
SEARCHFM^(TM) LOCATE STUDY

Ch 273 A
102.5 MHz

N. Lat. 29 55 55
W. Lng. 83 32 22



Call	CH#	Location		D-KM	Azi	FCC	Margin
WIMV	274A	Madison	FL	72.14	15.7	72.0	0.14
WBGA	273C1	Waycross	GA	202.59	47.4	200.0	2.59
WRGO.C	274C3	Cedar Key	FL	97.11	147.2	89.0	8.11
WRGO	274C3	Cedar Key	FL	97.11	147.2	89.0	8.11
WTRSFM	272C2	Dunnellon	FL	138.28	126.5	106.0	32.28
WQLC	271C3	Watertown	FL	78.27	64.5	42.0	36.27
WAIB	276C2	Tallahassee	FL	91.27	313.5	55.0	36.27
WAIB	276C2	Tallahassee	FL	91.37	313.3	55.0	36.37
AP219	219A	Madison	FL	51.19	6.4	10.0	41.19
WSLE	272A	Cairo	GA	126.24	333.3	72.0	54.24



DECLARATION AND QUALIFICATIONS OF PREPARER


STATE OF GEORGIA)
CITY OF MOULTRIE)
COLQUITT COUNTY)

ss:

CLYDE SCOTT, JR. ,UNDER PENALTY OF PERJURY, DECLARES AND SAYS
HE IS A BROADCAST ENGINEER AND PRESIDENT OF EME COMMUNICATIONS.
HE HAS BEEN ENGAGED TO PREPARE THE ATTACHED TECHNICAL EXHIBIT.

THAT HIS QUALIFICATIONS ARE A MATTER OF RECORD BEFORE THE FEDERAL
COMMUNICATIONS COMMISSION AND HAS BEEN ACTIVE IN THE BROADCAST
INDUSTRY SINCE 1965 AND IN BROADCAST ENGINEERING SINCE 1972. THAT
HE IS THE HOLDER OF GENERAL RADIOTELEPHONE LICNESE NO. PG-6-30133.

THAT THE ATTACHED TECHNICAL EXHIBIT WAS EITHER PREPARED BY HIM
OR UNDER HIS DIRECT SUPERVISION. ALL MATERIAL AND EXHIBITS HERETO
ARE BELIEVED TO BE TRUE AND CORRECT.



CLYDE SCOTT, JR.